REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-13 are pending in the present application, Claims 1, 2, 4, 5, 12, and 13 having been amended. The amendments to Claims 1, 2, 4, 5, 12, and 13 are self-evident and no new matter is added. The Abstract is amended to remove reference numerals.

In the outstanding Office Action, Claims 1, 2, 9, 12, and 13 were rejected under 35 U.S.C. §102(e) as anticipated by Craft et al. (U.S. Patent Publication No. 2002/0150243, hereinafter Craft); Claims 3 and 4 were rejected under 35 U.S.C. §103(a) as unpatentable over Craft in view of Anderson et al. (U.S. Publication No. 2004/0139018, hereinafter Anderson); Claims 5, 7, and 8 were rejected under 35 U.S.C. §103(a) as unpatentable over Craft in view of Fishman et al. (U.S. Patent Publication No. 2003/0017826, hereinafter Fishman); Claim 6 was rejected under 35 U.S.C. §103(a) as unpatentable over Craft in view of Fishman, and further in view of Dwork (U.S. Patent No. 5,539,826, hereinafter Dwork); Claim 10 was rejected under 35 U.S.C. §103(a) as unpatentable over Craft in view of White et al. (U.S. Patent Publication No. 2003/0227934, hereinafter White); and Claim 11 was rejected under 35 U.S.C. §103(a) as unpatentable over Craft in view of Menard (U.S. Patent Publication No. 2003/0001743).

Applicants thank the Examiners for the courtesy of an interview extended to Applicants' representative on November 15, 2005. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action were discussed. No agreement was reached pending the Examiner's further review when a response is filed. Arguments presented during the interview are reiterated below.

With respect to the rejection of Claim 1 under 35 U.S.C. §102(e) as anticipated by Craft, Applicants respectfully traverse the rejection. Claim 1 recites

A communication terminal comprising:

acquiring means for acquiring a value entity accompanied by a public key corresponding to a private key;

receiving means for receiving an application electronically signed by the private key, through an ad hoc network;

verifying means for verifying the application through use of the public key; and

transferring means for transferring the value entity through use of the application when the verifying means successfully verifies the application.

Craft does not describe or suggest every element of Claim 1.

Craft describes a system for controlled distribution of application code. As shown in Fig. 2 of Craft, the controlled distribution system includes a client device 202 and server 208. Neither client device 202 nor server 208 describe or suggest the claimed communication terminal.

Client device 202 transmits an encrypted request to server 208.[1] Client device 202 then receives encrypted application code and/or content data from server 208.[2] Client device 202 decrypts the application code and/or content data and executes the application code or plays back content data.[3]

Craft discloses that client device 202 only receives the application code and/or content data. Client device 202 does not perform both "acquiring a value entity accompanied by a public key corresponding to a private key," and "receiving an application electronically signed by the private key, through an ad hoc network." [Emphasis added].

Craft discloses that client device 202 only transmits the request message. The request message does not equate to the claimed "value entity" because client device 202 does not

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[1] *See*, Fig. 3 of Craft, particularly steps 302, 314, and 318.
[2] *See*, Fig. 6 of Craft, particularly step 602.
[3] *See*, Fig. 6 of Craft, particularly step 608 and 614.

acquire the request message accompanied by a public key corresponding to a private key. Furthermore, client device 202 does not transfer the request message through use of the received application code and/or content data because the Craft discloses that the request message is sent prior to receiving the application code and/or content data. Thus, Craft does not describe or suggest "transferring the value entity through use of the application when the verifying means successfully verifies the application."

Server 208 does not describe or suggest the claimed communication terminal. Server 208 receives the encrypted request message from the client device, decrypts the request message, generates a server response message, retrieves requested application code and/or content data, and transmits an encrypted server response message (including the application code and/or content data) to the client device.[4]

The request message received by server 208 does not describe or suggest the claimed "value entity" because server 208 does not transfer the request message through use of the received application when the verifying means successfully verifies the application.

The request message does not describe or suggest the claimed "application" because server 208 does not describe transferring the value entity through use of the request message.

The application code and/or content data acquired by server 208 does not describe or suggest the claimed "application" because server 208 does not transfer a value entity through use of the application code and/or content data. The server transfers the application code and/or content data to the client device. As described in Craft, the server does not execute the application code and/or content data. It is client device 202 that executes the application code and plays back the content data.

The application code and/or content data of Craft does not describe or suggest the claimed "value entity" because Craft does not disclose that server 208 acquires the

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[4] *See*, Figs. 4 and 5 of Craft.

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application code and/or content data accompanied by a public key and that the application code and/or content data is transferred through use of a received application.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and Claims 2-11) patentably distinguish over Craft. In addition, Claims 12 and 13 are similar to Claim 1. Thus, Applicants respectfully submit that Claims 12 and 13 patentably distinguish over Craft for at least the reasons stated for Claim 1.
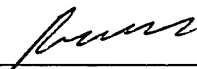
Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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